

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

T.R.,

Plaintiff,

v.

No. 2:20-CV-00276 GBW/JHR

PATRICK HOWARD,

Defendant.

PLAINTIFF T.R.'S PROPOSED VOIR DIRE QUESTIONS
FOR PLAINTIFF'S COUNSEL

COMES NOW, Plaintiff T.R., by and through her counsel of record, submits her list of proposed general questions she proposes to ask the veniremen during voir dire. Plaintiff's counsel may ask questions in response to the answers of potential jurors, both in questionnaires or during questioning by the Court and counsel reserves the right to ask questions she has submitted for the Court to ask of the venire, if the Court is not inclined to do so.

1. Who is concerned about the effect of a verdict against a former public school teacher on students and school districts?
2. Who here has themselves or had their family or friends work as a teacher, educator, coach? What was your/their experience?
3. Do you feel comfortable judging a schoolteacher?
4. Who here has held a position of authority over children? Worked for a school, church, sports club or other organization?
5. Who here believes that when school safety rules are broken, there must be consequences? What about if those safety rules include violations of trust?
6. Will you tend to hold a person in a position of authority – like a teacher, coach, doctor, priest or police officer – to a higher or lower standard? Who feels that persons in these positions of authority are too often wrongfully accused of wrongdoing?

7. Burden of Proof – criminal case vs. civil case: In a criminal case, the State must prove their case beyond a reasonable doubt. But in a civil case – like this - Plaintiff T.R. must prove her case only to a preponderance of the evidence, which is “more likely than not” or 49/51 percent. Some say that is not enough of a burden. Which way are you leaning?
8. Would you tend to believe a person who professes to be religious more or less than someone who does not outwardly practice or discuss their religious beliefs?
9. Can you award damages for harms and losses you cannot, see for mental anguish?
10. Can you award damages even if money won’t undo the harm caused?
11. Who believes a 15- or 16-year-old can consent to sexual contact with a 55-year-old teacher? Does anyone believe that teenagers are able to participate in an intimate relationship with an adult?
12. Who believes damages awarded in lawsuits should be capped? Too easy to file lawsuits?
13. If the evidence supported it, could you return a multi-million-dollar verdict?
14. Who believe females falsely report or exaggerate sexual abuse most of the time?

Respectfully Submitted,

Electronically Submitted

/s/ Shannon L. Kennedy

Shannon L. Kennedy

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Attorneys for Plaintiff T.R.

CERTIFICATE OF SERVICE

I, Shannon L. Kennedy, hereby certify that on February 20, 2024, a copy of the foregoing pleading was caused to be served via the CM/ECF filing system on all counsel of record.

“Electronically Submitted”

/s/ Shannon L. Kennedy
Shannon L. Kennedy